

SENATE

Senate Bill No. 656

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

It can be said that our penal institutions are a reflection of how our society pays respect to its citizens. It is the mandate of the government to provide a humane treatment, atmosphere, and environment to the inmates. However, the present condition of our jail facilities is so deplorable that even before their conviction, the inmates have already experienced a punishment they do not deserve.

This proposed measure seeks to establish an integrated jail facility in Metro Manila and in other highly urbanized centers in the country. It also proposes that the Supreme Court establish courtrooms in the said jail facility to serve as venues for judges to hear cases of inmates detained upon legal processes for the commission of any offense punishable by *reclusion perpetua* or life imprisonment.

This bill was prepared and submitted by the Committees on Public Order and Illegal Drugs, and Justice and Human Rights during the Thirteenth Congress. It was considered in the plenary session but was never enacted into law. Trusting in the noble intent of this measure, this representation is re-filing the same.

Considering the foregoing, the early passage of this proposed measure is earnestly solicited.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
AMENDING SECTION 63 OF REPUBLIC ACT NO. 6975 OTHERWISE
KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL
GOVERNMENT ACT OF 1990" BY PROVIDING FOR THE ESTABLISHMENT
OF AN INTEGRATED JAIL FACILITY IN METROPOLITAN MANILA AND IN
OTHER HIGHLY URBANIZED CENTERS IN THE COUNTRY, AND FOR
OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. Section 63 of Republic Act No. 6975 is hereby amended to
read as follows:

"SEC. 63. *Establishment of District, City or Municipal Jail.*- There shall be established and maintained in every district, city and municipality a secured, clean, adequately equipped and sanitary jail for the custody and safekeeping of INMATES, WHICH REFER TO THE city and municipal prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or transfer to the national penitentiary, and/or violent mentally ill person who endangers himself or the safety of others, duly certified as such by the proper medical or health officer, pending the transfer to a mental institution: *PROVIDED, THAT AN INTEGRATED JAIL FACILITY SHALL BE ESTABLISHED IN METROPOLITAN MANILA, WHICH SHALL CONSIST OF ALL DISTRICT, CITY AND MUNICIPAL JAILS TO BE CO-LOCATED IN ONE PLACE OR AREA: PROVIDED, FURTHER, THAT AN INTEGRATED JAIL FACILITY MAY BE ESTABLISHED IN OTHER HIGHLY URBANIZED CENTERS OF THE COUNTRY, AS RECOMMENDED BY THE JAIL BUREAU AND APPROVED BY THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT: PROVIDED, FURTHERMORE, THAT SAID INTEGRATED JAIL FACILITY MAY INCLUDE JAILS OF CITIES AND MUNICIPALITIES ADJACENT TO IT.*

"INMATES IN THE EXISTING JAILS AFFECTED BY
THE INTEGRATION SHALL BE TRANSFERRED TO THE

INTEGRATED JAIL FACILITY, WHEREBY A SEPARATE AND DISTINCT JAIL FOR EACH CITY AND MUNICIPALITY WITH ITS RESPECTIVE JAIL WARDEN AND PERSONNEL COMPLEMENT SHALL BE MAINTAINED THEREIN.

"THE ESTABLISHMENT OF AN INTEGRATED JAIL FACILITY SHALL BE JOINTLY UNDERTAKEN BY THE CONCERNED LOCAL GOVERNMENT UNITS IN ACCORDANCE WITH REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991" AND ITS IMPLEMENTING RULES AND REGULATIONS: *PROVIDED*, THAT THE REQUIREMENT FOR THE ESTABLISHMENT OF AN INTEGRATED JAIL FACILITY MAY BE SOURCED FROM THE FOLLOWING:

- A. COST-SHARE OF LOCAL GOVERNMENT UNITS CONCERNED;
- B. ANNUAL APPROPRIATION FOR THE RENTAL OF THE JAIL BUREAU'S OFFICES TO BE TRANSFERRED TO THE INTEGRATED JAIL FACILITY;
- C. PRIVATE SECTOR FUNDING PARTICIPATION SCHEMES; AND
- D. DONATIONS, CONTRIBUTIONS OR GRANTS FROM DOMESTIC OR FOREIGN SOURCES INTENDED FOR THIS PURPOSE.

"THE SUPREME COURT SHALL ESTABLISH COURTROOMS IN THE INTEGRATED JAIL FACILITY TO SERVE AS VENUES FOR JUDGES TO HEAR CASES OF INMATES DETAINED UPON LEGAL PROCESSES FOR THE COMMISSION OF ANY OFFENSE PUNISHABLE BY *RECLUSION PERPETUA* OR LIFE IMPRISONMENT, EXCEPT WHEN THE SUPREME COURT AUTHORIZES THE JUDGE, UPON PROPER APPLICATION, TO EFFECT THE TRANSFER OF THE SAID INMATE TO ANOTHER VENUE."

"[The municipal or city jail service shall preferably be headed by a graduate of a four (4)-year course in psychology, psychiatry, sociology, nursing, social work or criminology who shall assist in the immediate rehabilitation of individuals or detention of prisoners.] Great care must be exercised so that the human rights of [these prisoners] THE INMATES are respected and protected, and their spiritual and physical well-being are properly and promptly attended to."

SEC. 2. *Implementing Rules and Regulations.*-Within sixty (60) days from the approval of this Act, the Department of the Interior and Local Government, in coordination with the Bureau of Jail Management and Penology and the concerned local government units, shall formulate and promulgate the implementing rules and regulations necessary to carry out the provisions of this Act.

SEC 3. Repealing Clause. - All laws, decrees, orders, and rules and regulations inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC 4. Separability Clause. - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC 5. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,